

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.08.2016

CORAM

The Honourable MR. JUSTICE M.SATHYANARAYANAN

W.P.No.30012 of 2016

Prabhu Doss

... Petitioner

Vs

1 The Tahsildar
Veppur Post & Taluk
Cuddalore District.

2 Mr.R.Periyasamy

3 Mrs.Jumana Rani

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the 1st respondent herein, to complete the enquiry in proceedings No. e/f/m3/1726/2016, ehs; 27.06.2016 as per the petitioner's representation dated 27/06/2016.

For Petitioner : Mr.D.Samson

For 1st Respondent : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner would state that when he was a minor, his paternal grandmother, viz., Tmt.Vishalakshi, has executed a registered Settlement Deed bearing Document No.1055/1998 dated 02.12.1998 in favour of his younger brother Mr.Benjamine and he and his brothers were taken care of by one Tmt.Annabooval who was appointed as the Guardian. The petitioner would state that the property which is the subject matter of the above said Settlement Deed, admeasuring to an extent of 2 acres situate at Chiru Nesaloor Village and Post, is situate in Survey No.194, in the above said Settlement Deed, the Survey Number has been wrongly mentioned as "S.NO.194/2" and also the extent. The petitioner after attaining majority, wanted to develop the property and when he applied for patta, he came to know that the patta in respect of the said property has already been issued in favour of the respondents 2 and 3 and in this regard, the petitioner has submitted a representation dated 27.06.2016 to

the 1st respondent praying for conducting an enquiry and to cancel the patta granted in favour of the respondents 2 and 3 and since no response is forthcoming, he came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader who accepts notice on behalf of the 1st respondent and who would submit that for having submitted the representation, there is acknowledgment available.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, permits the petitioner to submit one more representation to the 1st respondent along with a copy of this order within a period of one week from the date of receipt of a copy of this order and the 1st respondent, on receipt of the same, is directed to consider the said representation and conduct an enquiry after putting on notice the respondents 2 and 3 and pass orders in accordance with law within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the respondents 2 and 3.

5 The writ petition is disposed of accordingly. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

AP

To
The Tahsildar
Veppur Post & Taluk
Cuddalore District.

+1 CC to M/s. M. Gnana Selvi, Advocate, Sr.No.48851

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RP (CO)
MD : 12/09/2016